

**HEARING DATE AND TIME: May 8, 2020 at 2:00 p.m. (Eastern Time)**

**OBJECTION DEADLINE: May 6, 2020 at 12:00 p.m. (Eastern Time)**

**BINDER & SCHWARTZ LLP**

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**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re:

MOTORS LIQUIDATION COMPANY, f/k/a  
GENERAL MOTORS CORPORATION, *et al.*,

Chapter 11

Case No. 09-50026 (MG)  
(Jointly Administered)

Debtors.

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MOTORS LIQUIDATION COMPANY AVOIDANCE  
ACTION TRUST, by and through the Wilmington Trust  
Company, solely in its capacity as Trust Administrator and  
Trustee,

Plaintiff,

Adversary Proceeding

Case No. 09-00504 (MG)

against

JPMORGAN CHASE BANK, N.A., *et al.*,

Defendants.

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**NOTICE OF HEARING ON MOTION OF MOTORS LIQUIDATION COMPANY  
AVOIDANCE ACTION TRUST FOR ENTRY OF AN ORDER APPROVING ENTRY  
INTO AMENDED SETTLEMENT AGREEMENT AND RELEASE AGREEMENT**

**PLEASE TAKE NOTICE** that Wilmington Trust Company, solely in its capacity as trust administrator and trustee (the “**Trust Administrator**”) of the Motors Liquidation Company Avoidance Action Trust (the “**AAT**”), as established under the Debtors’ Second Amended Joint Chapter 11 Plan dated as of March 18, 2011 [Bankr. Dkt. No. 9836] (as confirmed, the “**Plan**”) of the above-captioned post-effective date debtors (the “**Debtors**”), submits this motion (the “**Motion**”), pursuant to sections 105(a), 363 and 1142(b) of title 11 of the United States Code and Rule 9019 of the Federal Rules of Bankruptcy Procedure, seeking entry of an order, substantially in the form attached to the Motion as Exhibit A (the “**Approval Order**”), (i) approving the AAT’s entry into a global settlement agreement, as amended on May 1, 2020, attached to the Motion as Exhibit B (the “**Amended Settlement Agreement**”) and the release agreement attached thereto (the “**Release Agreement**”), which resolves all potential claims that could have been asserted by the economic loss plaintiffs and General Motors LLC related to this bankruptcy proceeding and the other matters defined in the Amended Settlement Agreement and Release Agreement; (ii) authorizing the AAT to allocate \$2.2 million in funds from the AAT’s expense reserve to make the settlement payment described in the Amended Settlement Agreement; (iii) authorizing the AAT to take all actions necessary or appropriate to effectuate the Amended Settlement Agreement; and (iv) granting such other and further relief as the Court deems proper, and that a hearing (the “**Hearing**”) will be held before the Honorable Judge Martin Glenn, United States Bankruptcy Judge, in Room 523 of the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York 10004, on **May 8, 2020 at 2:00 p.m. (Eastern Time)**, or as soon thereafter as counsel may be heard.

**PLEASE TAKE FURTHER NOTICE** that in light of the public health emergency caused by the COVID-19 virus, the Hearing will be conducted telephonically using Court

Solutions LLC in accordance with General Order M-543, *Court Operations Under the Exigent Circumstances Created by COVID-19* (which can be found at [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov)).

**PLEASE TAKE FURTHER NOTICE** that any responses or objections to this Motion must be in writing, shall conform to the Federal Rules of Bankruptcy Procedure and the Local Rules of the Bankruptcy Court, and shall be filed with the Bankruptcy Court (a) electronically in accordance with General Order M-399 (which can be found at [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov)) by registered users of the Bankruptcy Court's filing system, and (b) by all other parties in interest, on a CD-ROM or 3.5 inch disk, in text-searchable portable document format (PDF) (with a hard copy delivered directly to Chambers), in accordance with the customary practices of the Bankruptcy Court and General Order M-399, to the extent applicable, and served in accordance with General Order M-399 and on Binder & Schwartz LLP, attorneys for Wilmington Trust Company as Avoidance Action Trust Administrator, 366 Madison Avenue, 6th Floor, New York, New York 10017 (Attn: Eric B. Fisher, Esq. & Neil S. Binder, Esq.), so as to be received no later than **May 6, 2020 at 12:00 p.m. (Eastern Time)** (the "**Objection Deadline**").

**PLEASE TAKE FURTHER NOTICE** that if no objections are timely filed and served with respect to the Motion, the Trust Administrator may, on or after the Objection Deadline, submit to the Bankruptcy Court an order substantially in the form of the proposed order annexed to the Motion, which order may be entered with no further notice or opportunity to be heard offered to any party.

Dated: May 1, 2020  
New York, New York

Respectfully submitted,

**BINDER & SCHWARTZ LLP**

/s/ Eric B. Fisher

Eric B. Fisher

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*Attorneys for the Motors Liquidation  
Company Avoidance Action Trust*